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REGULAR MEETING OF
MARCH 19, 2019
IN THE ERMA L. HENDERSON AUDITORIUM
ON THE 13TH FLOOR

DOCKET

- I. OPENING:**
 - A. CALL TO ORDER.....9:00 A.M.**
 - B. ROLL CALL.....**
- II. PROCEDURAL MATTERS**
- III. MINUTES:**
 - A. APPROVAL OF MINUTES: MARCH 12, 2019**
- IV. COMMUNICATIONS:**
- V. MISCELLANEOUS BUSINESS:**
- VI. PUBLIC HEARINGS:**

9:15 a.m. CASE NO.: 01-19 (Adjourned November 27, 2018 & January 29, 2019)

APPLICANT: Robert McLean

LOCATION: 32 Monroe Ave. Between: Farmer St and Woodward Ave in a B5 Zone (Major Business District) Council District #6

LEGAL DESCRIPTION OF PROPERTY: S MONROE 50 THRU 47PLAT OF SEC 6 GOVERNOR & JUDGES PLAN L34 P545 DEEDS, W C R 1/5 3 THRU 1PLAT OF LOTS 45 & 46 SEC 6 GOVERNOR & JUDGES PLAN L1 P68 PLATS, W C R 1/17 44 & 43 W 19 FT 42PLAT OF SEC 6 GOVERNOR & JUDGES PLAN L34 P545 DEEDS, W C R 1/5 1/--- 58,070 SQ FT

PROPOSAL: Robert McLean/Neumann Smith Architecture on behalf of Bedrock requests dimensional variances to construct a 862,503 square foot High Rise Mixed-use Development with Residential structures, Retail and Office (By-Right-Uses) in a B5 Zone (MAJOR BUSINESS DISTRICT).This case is appealed because the Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments for a variance of the minimum lot area, minimum lot width, minimum setbacks and the dimensional variances or adjustments of which are provided for in this Chapter, provided: (a) That the open space needs of the potential occupants are adequately served; and (b) That said facility complies with all appropriate federal and state statutes, Wayne County Code of Ordinances, this Code and their accompanying regulations that control or regulate such use, including all applicable standards of this Zoning Ordinance; Said dimensional variances may be granted on the approval criteria of Sec. 61-4-81 of this Code; the proposed mixed use high rise tower is 535 feet high – the maximum building height permitted is 450 feet; the proposed horizontal dimension of the mixed use tower is 95 feet – the greatest horizontal dimension of the tower can’t exceed 60 feet; a total of fifteen (15) off-street loading zones are required – 6 off-street loading zones are provided. (Sections Sec. 61-13-121. Cubical content standard, 61-4-91. Permitted dimensional variances and General Dimensional Standards and 61-4-81 Approval Criteria).AP

This Meeting is open to all members of the public under Michigan’s Open Meetings Act

10:00 a.m.

CASE NO.: 53-18 (aka BSEED 76-17)

APPLICANT: CSOD, LLC / C.S. MANAGEMENT

LOCATION: 3930 E. Eight Mile Rd. Between: Wexford and Binder in a B4 Zone (General Business District) - Council District #3

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MI RD 202 THRU 198 ASSESSORS BASELINE SUPERHIGHWAY SUB NO 4 L63 P64 PLATS, W C R 13/330 107.99 X 100

PROPOSAL: CSOD, LLC appeals and requests to reverse the decision of the Buildings Safety Engineering and Environmental Department (BSEED 76-17) which DENIED the establishment of a Medical Marihuana Caregiver Center (MMCC) in an existing approximate 3,600 square foot building in a B4 zone (General Business District). This case is appealed because the Board of Zoning Appeals shall hear and decide appeals from and review any order, requirement, decision, or determination that is made by an administrative official in the administration of this Zoning Ordinance, or any decision made by the Buildings and Safety Engineering Department involving Conditional Uses. Also, no Conditional Use shall be approved by the Buildings and Safety Engineering Department, or the Board of Zoning Appeals on appeal, unless each of the general findings of Section 61-3-231 are made. (Sections 61-4-71 Jurisdiction Over Appeals of Administrative Decisions and 61-3-231 General Approval Criteria).AP

10:45 a.m.

CASE NO.: 79-18

APPLICANT: HNFMMN PROPERTIES 8 VAN, LLC

LOCATION: 8052 E. Eight Mile Rd Between: Terrell and Stotter in a B4 Zone (General Business District) – Council District #3

LEGAL DESCRIPTION OF PROPERTY: S EIGHT MILE 620 AND VAC CONNORS ADJ EXC EIGHT MILE AS WD BASE LINE SUB NO 2 L46 P51 PLATS, W C R 17/497 108 X 48.23

PROPOSAL: HNFMMN Properties 8 Van, LLC requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) at 8052 E. Eight Mile (BSEED PIN: 1700574.004L) in a B4 zone (General Business District). This case is appealed because The Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center: One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use or a Religious Institution. The proposed use is within 1,000 radial feet of several MMCC's: 20054 Van Dyke; NOTE: 8052 E. Eight mile submitted to BSEED 5-1-17, SLU decision for conditional approval given 2-17-18 with spacing variances needed from several MMCC's. (Sections 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance, 61-12-92 Other uses-Spacing, 61-12-87 SPC (Spacing), 61-4-92(3) Other Variances, Variance of Spacing/Locational Regulation, 61-12-95 Waiver of General Spacing Requirements and 61-4-81 Approval Criteria).AP

11:30 a.m.

CASE NO.: 49-18 (AKA BSEED 88-17) – REMANDED BACK BY CIRCUIT COURT (ADJOURNED BY BZA ON NOVEMBER 27, 2018)

APPLICANT: A & Z 13510, LLCC

LOCATION: 13510 E. Eight Mile Rd. Between: Pelkey St. and Schoenherr Rd in a B4 Zone (General Business District) – Council District#3

LEGAL DESCRIPTION OF PROPERTY: S--E EIGHT MILE RD 19 THRU 14 EXC EIGHT MILE RD AS WD SCHOENHERR MANOR SUB L54 P98 PLATS, W C R 21/885 120 X 58.62A 58.78 R 58.47

PROPOSAL: A&Z 13510, LLCC requests a Variance of Spacing / Locational Regulation TO establish a Medical Marihuana Caregiver Center (MMCC) in an existing one-story, 2,226 square foot building which was APPROVED w/Conditions in (BSEED 88-17) in a B4 zone (General Business District). This case is appealed because the Buildings, Safety Engineering, and Environmental Department shall not approve any request under this Chapter for a medical marihuana caregiver center: One thousand (1,000) radial feet from any zoning lot occupied by a Controlled Use or a Religious Institution. The proposed use is within 1,000 radial feet of two (2) Controlled Uses; Forest Wolf aka Puff Detroit located at 388' feet away – 632' feet away and Plyburt, LLC located at 13624 E. Eight Mile – 356' feet away. Also, the Board of Zoning Appeals may modify any spacing or locational regulation, also known as a locational variance, in Sec. 61-12-87 of this Code. (Sections 61-3-354 Conditional Uses; Procedures; Waivers; Public Nuisance, 61-12-92 Other uses-Spacing, 61-12-87 SPC (Spacing), 61-4-92(3) Other Variances, Variance of Spacing/Locational Regulation, 61-12-95 Waiver of General Spacing Requirements and 61-4-81 Approval Criteria).AP

VII. **PUBLIC COMMENT / NEW BUSINESS**

Next Hearing Date: March 26, 2019

VIII. **ADVISEMENTS / OLD BUSINESS**

IX. **MEETING ADJOURNED**

With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at [\(313\) 224-4950](tel:3132244950), through the TTY number 711, or email at crio@detroitmi.gov to schedule these services.